

**Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, December 6, 2004 at 7:00 PM**

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux, and Daniel Morgado, Town Manager. Mr. DePalo called the meeting to order at 7:05pm.

Preliminaries:

1. Approve bills, payrolls and warrants #0541 in the amount of \$295,523.88, #0543 in the amount of \$1,576,025.75, #0544 in the amount of \$30,423,025.21, and #0546 in the amount of \$1,322,489.74.
2. Approve Minutes of November 22, 2004. Motion made, seconded and unanimously voted to approve.
3. Announcements – Mr. Fiore advised that he had attended the Annual Firefighter's Mass at St. Paul's Cathedral on Sunday honoring recipients of the St. Florian Award. Selectmen Bruce Card was one of the recipients of the award this year and was honored for his length of service as a firefighter and selectman and his long time marriage to his wife Lucy. Mr. Fiore congratulated Mr. Card on behalf of the Board and Mr. DePalo presented him with a framed color photograph of the ceremony. Mr. Lebeaux reminded everyone that the Light Dept. is sponsoring the Santa's Toy Chest campaign again this year. New, unwrapped toys may be dropped off at the Light Dept. offices Monday-Friday from 8:00am to 5:00pm. The Library is also collecting new unwrapped toys for the Marine Corps Toys for Tots Campaign. Both are worthy endeavors.
4. Town Manager's Report – Nothing other than what is on the Agenda.

Meetings:

5. 7:00pm – On-line Payments – Unibank and Treasurer Carolyn Marcotte. Brian Jamros of Unibank and Treasurer Marcotte were present. Ms. Marcotte said that her office had received many requests for this service. Mr. Jamros reviewed the procedure which would allow residents to pay their real estate, excise tax and water/sewer bills on line. After a discussion and questions from the Board it was concluded that a few aspects of Unibank's system would need to be fine tuned to meet the town's needs. The Board would like to review the final plan prior to a commitment. Ms. Marcotte asked for the Board's support to proceed with a plan to implement on-line payments with Unibank. Motion was made, seconded and unanimously voted to pledge the Board's support of development of a system for the Town to accept on line payments with Unibank.
6. 7:10pm – Chief Sampson – Parking Ticket Fees. Mr. Morgado informed the Board that Chief Sampson would be unable to appear this evening due to commitments. Meeting will be rescheduled for December 20th.

Public Hearings:

7. 7:30pm - Daly Dog – Violation of Restrictions. Mr. & Mrs. Daly, Animal Control Officer Leona Pease and complainants were present. Mr. DePalo advised that the Board would hear from Dog Officer Pease, complainants would then make their statements, dog owners would have the opportunity to respond and Board would make a decision. Mr. DePalo asked all those who wished to testify to identify themselves and proceeded to swear them in. Officer Pease reported that after the hearing on August 9th regarding the Daly's dog Boomer, further complaints had been received. Officer Pease reviewed the complaints made to date. James Colonies, the original complainant, said that after the first hearing conditions had improved for a time but now were deteriorating again. He reviewed the incidents. Mr. DePalo asked the Dalys to respond. Mrs. Daly said that they had complied with the Board's restrictions and could not understand the basis for the additional complaints. She then read a statement from herself and her husband and offered letters to the Board written by neighbors in support of the dog. Mr. DePalo advised the Dalys that other neighbors had complained about the dog as well as Mr. Colonies and reviewed those complaints. Lois Lowe and Phyllis Francis, neighbors of the Dalys, also testified that the dog's barking was a nuisance. Mr. DePalo asked for final comments from Mr. & Mrs. Daly and the complainants. The Dalys asked the Board to take into consideration that this is a family pet and steps had been taken to correct the behavior. No further comments were offered by Mr. Colonies or the other neighbors. Motion was made, seconded and unanimously voted to close the hearing. Mr. Fiore and Mr. Hammond asked that a decision by the Board be tabled

until later in the meeting or postponed until the next meeting due to the contradictory nature and large amount of testimony. After a short discussion other Board members concurred. Mr. DePalo asked Animal Control Officer Pease to submit her recommendations and suggestions to the Board. A decision on the matter was tabled until December 20th.

Old Business:

8. Sale of 52 Holden Street. Mr. Morgado advised that the house on 52 Holden Street had been readvertised. Minimum purchase price is now \$265,000. The house will be open for inspections on December 19th at 2:00pm and December 21st at 2:00pm and 6:00pm. Proposals will be accepted at the Office of the Board of Selectmen until January 5, 2005 at 2:00pm. The house is now listed on realtor.com and can be shown by realtors. If a real estate agent is used to purchase the property, their commission will be paid by the buyer.
- 8a. Streetlight on Arrowwood Drive. The Light Dept. has agreed that additional lighting is needed in this area. Motion was made, seconded and unanimously voted to approve the installation of a streetlight on Arrowwood Drive. Light Dept. to be notified.

Mr. Fiore advised that he and Mr. Hammond had met with Highway Supt. John Knipe, Town Engineer Jack Perreault, Asst. Town Manager, Michael Hale, Planning Board Chair, Mel Gordon and Planning Board member Jill Myers prior to tonight's meeting to discuss plowing of private sub-division streets. They would like to bring the results of their meeting forward at the next Board meeting on December 20th for discussion. Meeting will be scheduled for December 20th.

New Business:

9. St. Mary's Syrian Orthodox Church, I Industrial Drive, One Day All Alcohol License for Christmas Party, Saturday, December 11, 2004 from 8:00pm to 12:30pm. Motion was made, seconded and unanimously voted to approve license for the purposes as stated in the application.
10. St. Mary's Syrian Orthodox Church, I Industrial Drive, One Day All Alcohol License for New Year's Eve Party, Friday, December 31, 2004 from 10:00pm to 2:00am. Motion was made, seconded and unanimously voted to approve license for the purposes as stated in the application.
11. Discuss need for a Special Town Meeting. Mr. Morgado referred the Board to the memo from Town Clerk Ann Daley advising that the allocation of Town Meeting Members must to be revised due to the most recent census. This action must be approved at Town Meeting. Mr. DePalo suggested that the warrant for this meeting should include an Article to make this a function of the Board of Selectmen which would not require Town Meeting approval. Mr. Morgado will advise the Board when a date is set.
- 11a. Minna Terrace – Roadwork. Motion was made, seconded and unanimously voted to give Highway Supt. John Knipe the authority to shut down roadwork from Route 20 to Walnut Street connecting to Trolley Lane based upon the uncertainty of winter weather conditions. Motion was seconded and unanimously voted.

Executive Session:

12. Collective bargaining, value of real property and pending litigation. Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:52pm and not to reconvene for the purpose of discussing collective bargaining, value of real property and pending litigation. The Board was polled, Mr. Card, yes, Mr. Lebeaux, yes, Mr. Hammond, yes, Mr. Fiore, yes, and Mr. DePalo, yes.

Communications:

13. Noted copy mailed: Request from Greenleaf Farms Development, June Tomaiolo, President, for installation of two street lights on Turtle Creek Circle. Forward to Light Dept.
14. Noted copy mailed: Letter from Anthony Mastromatteo expressing interest in appointment as Associate Member of ZBA.
15. Noted copy mailed: E-mail from Chief LaFlamme re HB4550 Inspection of Liquor Establishments. Implementation of this legislation has been postponed until 2005.
16. Noted copy mailed: Park & Cemetery Commission Meeting Minutes, 10/18/04.
17. Noted copy mailed: School Committee Meeting Agenda, 12/1/04.
18. Noted copy mailed: ZBA Hearing Minutes, 10/26/04, Berlin Bandag, Inc., 370 Hartford Turnpike.
19. Noted copy mailed: ZBA Hearing Minutes, 10/26/04, Webster Five Cents Savings Bank, 261 Grafton Street.

20. Noted copy mailed: Letter from MetroWest Builders re Minna Terrace Senior Housing Project. Previously discussed.
21. Noted copy mailed: Letter from Mr. Morgado to Rep. Polito re WRTA bus stop location.
22. Noted copy mailed: ZBA Hearing Minutes, 6/28/04. Gitanjali Devi, 15 Brook Street.
23. Noted copy mailed: Letter from Town Clerk Ann Dagle re number of residents in each precinct.
24. Noted copy mailed: Memo from Mr. Morgado re Allocation of Town Meeting Membership.
25. Noted copy mailed: Memo from Dept. of Housing & Community Development re FY 2005 Cold Relief Brochure.
26. Noted copy mailed: E-mail from Bill Yeomans, 51 Grafton Street, re thank you to Michael Hale & Jack Perreault and staffs for work on Town Center.
27. Noted copy mailed: School Committee Meeting Minutes, 10/6/04 & 10/20/04.
28. Noted copy mailed: Mass. Dept. of Revenue Bulletin 2004-21B – Exchange of State Tax Data Regarding Residency.
29. Noted copy mailed: Materials from Dept. of Telecommunications & Energy re Investigation by Cable Television Division on Motion to Review Form 100.
30. Noted copy mailed: Letter from Planning Board Chairman Melvin Gordon re Hook Property, Green Street. To be reviewed in Executive Session.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:52pm not to reconvene for the purpose of discussing collective bargaining, value of real property and pending litigation.

Respectfully submitted,

Janice C. McCoy
Secretary